

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: PARAGARD IUD	:	MDL DOCKET NO. 2974
PRODUCTS LIABILITY	:	1:20-md-02974-LMM
LITIGATION	:	
	:	
This document relates to:	:	CIVIL ACTION NOs.:
Pauline Rickard	:	1:21-cv-03861-LMM

ORDER

During the hearing on January 6, 2026, Plaintiff asked for clarification on the Court's Order on Teva's Motion in Limine to exclude Teva's 2013 Citizen Petition. Dkt. No. [144] at 12-13. After hearing Plaintiff's argument as to why this document was admissible, the Court indicated that Plaintiff's argument did not appear to be one fully made in response to the Motion. The Court has reviewed Plaintiff's response and finds this to be true. The Court therefore concludes that it will not consider this argument as it should have been raised in its response brief.

It is true, as Plaintiff points out, that the Court stated in its order that if Plaintiff believes that Defendant has opened the door to introducing this evidence at trial based on certain assertions about its efficacy, testing, and/or safety, counsel should approach the bench. Id. at 13. To be clear, opening the door as to the admission of evidence does not mean that parties can later raise arguments that they have waived. Instead, the Court was referring to Plaintiff's argument that this document might be relevant as impeachment evidence.

IT IS SO ORDERED this 9th day of January, 2026.

A handwritten signature in blue ink, reading "Leigh Martin May", is written over a horizontal line.

Leigh Martin May
Chief United States District Judge